

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**CHRISTOPHER G. BROADWATER, : CIVIL ACTION NO. 1:12-CV-1937**

:

**Plaintiff : (Chief Judge Conner)**

:

**v.**

:

**CHRISTIAN D. FOW, et al., :**

:

**Defendants :**

**ORDER**

AND NOW, this 17th day of July, 2014, upon consideration of plaintiff Christopher G. Broadwater's appeal (Doc. 96) from Magistrate Judge Martin C. Carlson's order (Doc. 95) dated June 3, 2014, denying plaintiff's request to compel a non-confidential settlement agreement in the above-captioned matter, and it appearing that a district court judge may reconsider any pretrial matter decided by a magistrate judge "where it has been shown that the magistrate judge's order is clearly erroneous or contrary to law," 28 U.S.C. § 636(b)(1)(A); see also FED. R. CIV. P. 72(a), and it appearing that Magistrate Judge Carlson met with the parties for the purpose of facilitating settlement negotiations, and the court agreeing with Magistrate Judge Carlson that the court is unable to compel either party to agree to any specific terms in a settlement or to order either party to modify a settlement agreement, and the court concluding that opining on the enforceability or legality of a specific confidentiality provision in a proposed settlement agreement would be tantamount to issuing an advisory opinion, and the court further concluding that Magistrate Judge Carlson's decision was not clearly erroneous or contrary to law, it

is hereby ORDERED that Broadwater's appeal (Doc. 96) from Magistrate Judge Carlson's order is DENIED.

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania